



House Foreign Affairs Committee  
Tom Lantos Human Rights Commission

Hearing on: Climate and Human Rights  
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**STATEMENT SUBMITTED FOR THE RECORD**

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We commend the Tom Lantos Human Rights Commission for convening a hearing on climate and human rights. We also thank Rep. Jim P. McGovern and Rep. Christopher H. Smith for their opening remarks, and the panel of experts for their interventions.

For over a decade Global Witness has documented the murders of land and environmental defenders (LEDs) – the most at-risk group of human rights activists – across the globe. From indigenous peoples protecting land rights, environmental lawyers and journalists, or community leaders and residents speaking out against damaging corporate activity – these defenders are under attack for standing up to government and corporate actions that are harming people and planet. All take a stand against the unjust, discriminatory, corrupt, or damaging exploitation of human rights, natural resources, and the environment.

We tend to associate the climate crisis with its environmental impacts – unbearable heat, air pollution, rising seas, burning forests, or super-storms. Yet our reporting suggests a correlation between the worsening climate crisis and attacks against LEDs. Environmental harms caused by climate wrecking industries and climate related disasters are met with local opposition against irresponsible corporations and complicit government actors. In these cases, absent or inadequate human rights protections – from safeguarding civic freedoms, tackling high impunity levels and corruption, to oversight over corporate activity – enables a culture of repression and intimidation, and increases the likelihood of attacks. Yet, LEDs are at the frontline of tackling the climate and biodiversity crises with the [IPCC calling for climate justice and the need to link development and human rights](#) to achieve a rights-based approach to addressing climate change. For this reason, ongoing efforts to develop strategies to tackle the climate crisis must not only consider its direct and indirect impacts on human rights, including the escalation of localised conflicts and violence against defenders, but must also proactively include defenders, particularly Indigenous Peoples, in climate policymaking.

**Defenders at the forefront of the Climate Crisis**

Climate change may exacerbate existing inequalities and impact the situation of some of the most at-risk communities. Between 2012 and 2020, over 1,500 LEDs were murdered after defending their land and our environment from destructive industries – many of which contribute to climate change directly or indirectly. Our 2020 data shows instances where defenders were attacked for protecting climate critical ecosystems, the majority – 71% - were working to defend the world's forests (earth's natural carbon sinks) from deforestation and industrial development. Three out of four recorded attacks in 2020 occurred in Latin America, which has consistently been the most dangerous region for LEDs. Between 2012 and 2020, six countries have consistently appeared as countries with the highest levels of killings for LEDs: Brazil, Colombia, Philippines, Mexico, Honduras, and Guatemala (see Table 1 below).

Preserving tropical rainforests is critical to help stop climate breakdown and to safeguard the rights of local communities and Indigenous Peoples who rely on and defend them. Estimates suggest that [70% of cleared lands in the Brazilian Amazon](#) are now populated by cattle, a key driver of land conflict in the region, alongside plantations. Overall, around [30% of all registered land-related conflicts in Brazil](#) are linked to the agribusiness sector. In Brazil and Peru, nearly three quarters of recorded attacks took place in the Amazon region while Mexico saw a large rise in logging and deforestation-related killings, with 9 in 2020. Significantly, 60% of killings recorded in Brazil between 2015 and 2020, occurred in the legal Amazon. This figure goes up to 81% for killings that occurred in Mato Grosso and Maranhao in Brazil, home to both the Amazon and the Cerrado biomes which are vital climate critical ecosystems.

The same patterns are present in Asia, for example, deforestation in the Philippines has occurred rapidly, driven by agricultural projects but also by large-scale logging of wood meant for export. Between 2012 and 2020, 30% of killings of defenders in the Philippines were linked to the agricultural sector; 30% linked to mining, whilst 16 people were murdered after opposing logging.

Table 1: Countries with Highest Killings of LEDs

	2012 -2020 killings per country	No.
1	Brazil	345
2	Colombia	323
3	Philippines	269
4	Mexico	154
5	Honduras	117
6	Guatemala	81
7	India	81
8	Democratic Republic of Congo	70
9	Nicaragua	57
10	Peru	51

Whilst the Global North is responsible for 92% of excess global carbon dioxide emissions, over 99% of all recorded lethal attacks occurred in the Global South according to our dataset. To prevent attacks, it is vital to address the root causes of violence from corruption and impunity to human rights infringements including repressing civic and press freedoms. Climate change must also be understood as key indicator for increasing conflict against defenders, alongside its broader impact on human rights. Governments and corporations must stop enabling these systems through legislation, trade and diplomacy, and corporate activity.

#### Identifying patterns of reprisals against LEDs – a snapshot

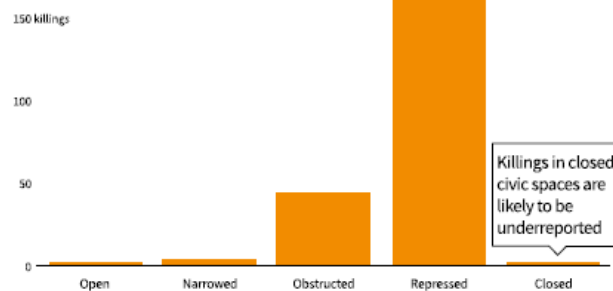
In 2020, 227 LEDs were murdered which is an average of more than four people killed every week. Over half of attacks took place in just three countries: Colombia, Mexico, and the Philippines. For the second year in a row, Colombia saw the highest number of killings in 2020, with 65 LEDs murdered. In Mexico, we documented 30 lethal attacks against land and environmental defenders in 2020, a 67% increase from 2019. The Philippines has consistently been the worst country in Asia for attacks against defenders, with an increase in killings alongside a worsening human rights record under former President Rodrigo Duterte. From his election in 2016 until the end of 2020, 166 LEDs were killed – over double the number killed under the previous administration. Disregard for the Philippines human rights record has continued under the new administration, with new President Ferdinand

'Bongbong' Romualdez Marcos Jr. [recently announcing a six-year economic development](#) agenda that could cause further human rights and environmental harms.

It's important to note that our data on lethal attacks are just the tip of the iceberg - restrictions on a free press or a lack of independent monitoring, can lead to underreporting of attacks. Similarly, in countries with high impunity levels or affected by conflict, it can be harder to identify attacks connected to land disputes and environmental damage, two prominent underlying causes behind communities' activism. Moreover, we are also seeing governments and companies use a range of tactics to silence defenders, some of which go under-reported, including intimidation, surveillance, sexual violence, and criminalisation. Sometimes governments manipulate laws intended to protect national security to stamp out peaceful protests; they pass new legislation that curtails human rights or environmental protections; or they lock activists into costly legal battles that prevent them from carrying out their work. Companies may pressure governments to lock up defenders, or they may bring civil cases of their own against them. These criminalisation tactics not only threaten civic space but undermine democracy itself. In 2020, many killings took place in states with restrictions on civic freedoms.

**The majority of killings took place in states with limited civic freedoms**

Data on civic freedoms via CIVICUS Monitor\*



\* See: <https://monitor.civicus.org/>

It is also clear, that specific communities across the globe face increased risks. [Indigenous populations live across 90 countries](#) and occupy more than a third of protected landscapes, helping [preserve an astonishing 80% of the world's remaining biodiversity](#). Thus, they are vital agents for solving the climate and biodiversity crises. However, there is a disproportionate number of attacks against Indigenous Peoples. Between 2012 – 2020, a third of all attacks targeted indigenous communities, even though they make up only 5% of the world's population. They were also the target of 5 out of the 7 mass killings recorded in 2020.

Women have long been at the heart of environmental protection efforts – playing a crucial role in grassroots movements across Asia, Africa, and Latin America. Their efforts have proven to be one of the most effective methods of safeguarding global ecosystems against damaging extractive industries such as mining and industrial agribusiness. Since the Paris Climate Agreement was adopted in 2015, over 108 defenders killed were women, with over a third being Indigenous women

Whilst violence against women is a widespread global phenomenon prevalent in all walks of life and across all sectors, there is growing evidence that the extractive sectors – particularly large-scale mining - can pose a significant violent risk for women. Since the Paris Agreement was adopted, over 60% of killings where a sector was identified involved extractive industries and of this nearly 30% of killings were of women defenders.

## Recommendations

To address and prevent further climate catastrophe and to mitigate its ongoing impacts, governments and companies must start to view climate and human rights as intrinsically linked and progress is being made to this effect: last year, the UN Human Rights Council appointed a new [Special Rapporteur on Climate Change](#), who plans to issue guidelines for incorporating human rights considerations in adaptation strategies. Earlier this year, the Commission for Human Rights in the Philippines published its [National Inquiry on Climate Change](#) – becoming the first national human rights institution to investigate climate devastation as an infringement of human rights. The report holds investor-owned fossil fuel and cement producers and other climate majors responsible for human rights violations resulting from the impacts of climate change – a landmark finding. Most recently, the [UN General Assembly has recognised the human right to a clean, healthy, and sustainable environment](#).

States must also support and protect defenders: advocate for their protection, provide them with the tools they need to carry out their activism effectively, and guarantee their safety when they are at risk. They must ensure accountability: ensuring those responsible for attacks on defenders are brought to justice, while those who fail to support and protect them face political, financial, and judicial consequences. They must ensure:

1. National laws and policies protect land and environmental defenders by guaranteeing effective and robust regulatory protection of the environment, labour rights, land rights, indigenous peoples' rights, livelihoods, and cultures, including to free, prior and informed consent. Any efforts to use legislation to criminalise defenders must be declared null and void.
2. Require companies to conduct human rights and environment due diligence in their global operations.
3. Investigate and prosecute all those involved in violence and other threats against defenders.

We recommend that the US government should:

1. Enforce existing mechanisms such as the Rights Accountability Act (Global Magnitsky Act) and Section 7031(c) of the FY 2021 Consolidated Appropriations Act [to protect environmental defenders and deter corruption as a means of addressing climate change internationally](#). We echo calls from members of the US Congress to:
  - To integrate sanctions-related activities as a core part of US strategies related to climate change. This includes implementing sanctions for growing attacks on environmental defenders and identifying strategic opportunities to use sanctions authorities to change the behavior of the most egregious perpetrators;
  - Encouraging partner governments with similar sanctions authorities to take a coordinated, multilateral approach to designate appropriate targets; and
  - Review credible evidence submitted by civil society organizations of human rights abuses of environmental defenders and issuing sanctions designations against those responsible.
2. Adopt and implement human rights defenders' legislation to ensure that it supports all human rights defenders globally, and that it holds US companies, including those operating abroad, to account for any human rights, environmental or climate related harms.
3. Adopt legislation embodying mandatory human rights due diligence. In this regard efforts are underway globally to promote corporate accountability. For example, in February, the European Commission published a draft Corporate Sustainability Due Diligence Directive. If passed into law, it would require all companies doing business in the EU to identify, prevent, mitigate and remedy human rights and environmental harms along their value chains.